

**Minutes
of the
Stormwater Management Committee (SWMC)
September 3, 2015

8:00 AM
800 Second Avenue South
Metro Office Building, 1st Floor – Development Services Conference Room**

STORMWATER MANAGEMENT COMMITTEE

(Quorum Required: Four Members)

Committee Members Present:

Mr. Roy Dale, P.E.
Mr. Dodd Galbreath
Ms. Anna Maddox, P.E.
Mr. Slade Sevier, P.E. – Vice Chairman
Mr. Monte Turner
Mr. Lance Wagner, P.E. – Chairman

Committee Members Absent:

Ms. Ronette Adams-Taylor

I. CALL TO ORDER

The meeting was called to order at 8:10 a.m.

II. APPROVAL OF JULY 2, 2015 MEETING MINUTES & DECISION LETTERS

Mr. Slade Sevier moved and Mr. Monte Turner seconded the motion to approve the meeting minutes and decision letters for the July 2, 2015 meeting. Mr. Roy Dale, Mr. Dodd Galbreath, Ms. Anna Maddox, Mr. Sevier, Mr. Turner, and Mr. Lance Wagner voted in favor of the motion.

III. STORMWATER MANAGEMENT COMMITTEE AGENDA

Comments were solicited from the Planning and Codes Departments for the following Agenda items.

1. 201300016
3636 Estes Road
Single Family Residential
APN 11608017001
Inspector: (NPDES Staff)

APPLICANT'S REQUEST: Previously granted Variance #201300016 on September 5, 2013 allowing disturbance and encroachment of the floodway and 75' floodway buffer (50' Zone 1 & 25' Zone 2) of Sugartree Creek and placement of up to 15 cubic yards of uncompensated fill in the 100-year floodplain to construct a pervious paver driveway, along with continuous mowing and maintenance of buffer area. This hearing is to allow the Appellant to show cause as to why the variance should not be revoked due to failure to meet the conditions of the variance.

APPELLANT: Mr. Ardavan Afrakhteh

REPRESENTATIVE: Mr. Michael Dewey

COMMENTS:

SW STAFF: Grading permit SWGR 201300168 was approved for construction of a 5,753 sq. ft. driveway to be constructed of pervious pavers. Inspections by SW staff shows that the driveway is impervious and not constructed per the variance Plan of Record.

Rip-rap has been installed within the right-of-way and along the northern and eastern sides of the parcel. Metro does not allow rip-rap within the right-of-way.

No new structures are allowed to be constructed in the floodway per Metro Ordinances BL2010-794 and BL2011-940 and is not appealable before the SWMC. A treehouse has been constructed in the floodway.

Staff requested that the applicant provide documentation regarding the status of original mitigation plantings and whether or not there is currently at least 75% survivability. The appellant has submitted a letter from the landscaper, Jose Monreal Landscaping, who was hired to install the overall landscaping. The landscaper states that the landscaping was installed per the approved planting plan, and "At completion, I examined the landscaping and found that all or at least 75% of the plantings are in compliance with the mitigation plan". Staff requests that clarification be provided regarding this last statement that his examination is based on the status of plantings as of the date of the letter, August 14, 2015.

CODES: No comment.

PLANNING: No comment.

GREENWAYS: No comment.

There was discussion regarding the pervious paver driveway installation and Stormwater as-built review, the variance mitigation plantings, construction of the treehouse in the floodway, and rip-rap installation on the site.

Ms. Monette Rebecca, President - Richland Creek Watershed Alliance, stated that streams should not be redirected, inquired about 2010 flooding (to which the owner stated the house did not flood and his representative stated the yard and crawlspace were covered with water; however, the finished floor did not flood.). Ms. Rebecca also stated that part of the site's drainage problem may be obstructing the onsite spring. It is illegal by the State to damage or change a spring.

After discussion, Mr. Slade Sevier made a motion to modify the variance to the extent necessary that what is installed on the drive is deemed in compliance with the modified variance and that what is installed in the back, as of today (9/3/15), is in compliance with the modified variance. Mr. Roy Dale seconded the motion. The motion was approved by Mr. Dale, Mr. Dodd Galbreath, Ms. Anna Maddox, Mr. Sevier, Mr. Monte Turner, and Mr. Lance Wagner.

The variance and discussion did not address the treehouse because the Committee did not see it as part of the variance because it was pre-existing. The Committee did not see any non-compliance issues with the plantings at this time because they have not yet reached their two-year survivability period.

The reason for the modification is that, in light of all the circumstances, the modifications are not any less detrimental to the stormwater objectives they are trying to reach, based upon the uniqueness of the lot. It is not considered normal acceptable practice but for this situation, it is suitable for the variance.

IV. ITEMS OF BUSINESS

Ms. Rebecca Dohn gave a brief overview of proposed revisions to the 2016 Stormwater Management Manual (SWMM). Some of the changes will be:

- 1) Appendix H (previously-approved Residential Regulated Infill Guidance) will be incorporated into the manual.
- 2) The one-inch requirement will become a requirement per Metro's MS4 permit starting in 2016 and will be integrated within the regulations. Metro's current Low-Impact Development (LID) manual meets the one-inch requirement. There will be a system to waive the one-inch requirement if there are certain site limitations that exist.
- 3) TSS removal efficiency for dry detention will be reduced from 60% to 40%.
- 4) The 75% Stormwater User Fee Credit for using the LID manual will remain.
- 5) Stormwater plan review fees will no longer be waived for using the LID manual.
- 6) There will be an infill/redevelopment credit that will provide a 25% reduction.
- 7) Electronic submittals added to as-built requirements, water quality buffers to be shown on as-builts, and LID site design sheets submitted as part of as-builts.
- 8) Reducing the area that can route to pervious pavers (from double the amount to an equal area).

V. ADJOURNMENT

The meeting was adjourned at 9:53 a.m.

Metropolitan Stormwater Management Committee

Approved:

By: _____
Secretary

Date: _____